

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Special Meeting

DATE AND LOCATION

January 29, 2016 – Board Office

PRESIDING OFFICER

Thomas Oliver, Chair

ROLL CALL

Present:

Thomas Oliver, Board Member
Jeff Fultz, Board Member
Dann Cann, Board Member
Dwain Wheeler, Board Member

Present Also:

Larry Disney, Executive Director
Tom Veit, Executive Assistant
Angie Thomas, Staff Assistant
Kim Mathias, Executive Secretary
Nicole Biddle, Attorney General Office

Absent:

Kathy Mayfield, Board Member

Chair, Thomas Oliver opened the meeting by welcoming the guest in attendance.

MINUTES

Motion by Jeff Fultz, second by Dann Cann and the Board unanimously approved the December 18, 2015 minutes. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

EDUCATION

Motion by Jeff Fultz, second by Dann Cann and the Board unanimously approved the following education courses for Fiscal Year 2015-2016. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

1. Career Webschool
 - (a) 2016-17 National Equivalent USPAP Course – 15 hours QE Internet
 - (b) 2016-17 National Equivalent USPAP Course Update – 7 hours CE Internet
2. ASFMRA
 - (a) Minerals Appraisal Seminar – 8 hours CE Classroom
3. McKissock – Add John Willey to teach the following courses:
 - (a) Exploring Appraiser Liability
 - (b) Appraiser: How to Recognize and Avoid Mortgage Fraud
 - (c) 2016-17 National USPAP Update
4. REAL MAC LLC dba Chico Appraisal Services
 - (a) Understanding ANSI Standards Z765 – 3 hours CE Classroom
 - (b) Basic Litigation and Mock Trial – 7 hours CE Classroom
5. Bryan S. Reynolds & Associates
 - (a) Appraiser's Guide to CYA (Covering Your Appraisals) – 7 hours CE Classroom
6. Lynx Valuation, LLC
 - (a) 2016-17 National USPAP Update – 7 hours CE Classroom
 - (b) FHA Property Analysis – 7 hours CE Classroom

EXPERIENCE REVIEW

Motion by Dwain Wheeler, second by Jeff Fultz and the Board unanimously approved the experience for the following individual. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

1. L. Jason Gibbs – Approve experience for Certified General.
He will need to pass the Certified General exam.

CERTIFICATION/LICENSURE

Approval – Appraisers – Motion by Dann Cann, second by Dwain Wheeler and the Board voted to approve the following certification list of appraisers. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

1. Appraisers

1. Nikole Lea Crawley – Certified Residential (FL)
2. Dana R. Hendley – Certified Residential (GA)
3. Shane T. Lovelady - Certified General (AL)
4. Michael P. Schlemmer – Certified General (IN)
5. Gilder L. Whitlock – Certified General (FL)

Approval – Appraisal Management Companies – Motion by Dann Cann, second by Jeff Fultz and the Board voted to approve the following certification list of AMC's. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

2. AMC

1. Palm Beach Appraisal Management Co, LLC - #157
 2. Kairos Appraisal Services, LLC - #158
 3. SingleSource Property Solutions, LLC - #159
3. Chad Smedley – Motion by Jeff Fultz, second by Dwain Wheeler and the Board denied the application pursuant to KRS 324A.050(1)(c) and (1)(g). The Board noted for the record, the recent nature of the conviction without adequate time to demonstrate rehabilitation was a deciding factor in the decision to deny. Roll call – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

COMPLAINT

1. The Board reviewed the Case Summary Chart. Tom Veit reported 3 appraiser cases and 0 AMC case have been filed for 2016.
2. Case No. 15-17 – Jeff Fultz recused himself from discussion on the case. Motion by Dann Cann, second by Dwain Wheeler and the Board unanimously agreed to dismiss the case. Roll call – Dann Cann – Yes; Jeff Fultz – Recused; Dwain Wheeler – Yes.
3. Case No. 15-19 – Motion by Dwain Wheeler, second by Jeff Fultz and the Board unanimously agreed to set the case for an informal mediation and if not successful, to set the case for a hearing. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

4. Case No. 15-23 – Motion by Jeff Fultz, second by Dwain Wheeler and the Board unanimously agreed to set the case for an informal mediation and if not successful, to set the case for a hearing. Roll call –Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
5. Case No. 15-13 · Motion by Dann Cann, second by Jeff Fultz and the Board unanimously agreed to dismiss the case. Roll call – Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
6. Lynn Prichard · Case 12-10, 12-11, 12-12, 12-25, 12-26 and 14-28 – Motion by Jeff Fultz, second by Dwain Wheeler and the Board accepted the following agreed order. Roll call – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
 - A. Case No. 13-CI-1115 shall be dismissed with prejudice
 - B. Prichard shall pay a fine of \$5,000, with the total amount to be paid with the signed Agreed Order.
 - C. Prichard agrees that he will not obtain any Associates for a period of 2 years from the date of the signed agreed order.
7. Cases pending or on appeal
 - A. Matt Miniard – Case 10-18 – KY Supreme Court
 - B. David Harrington – Case Nos. 08-49 through 08-57, 09-02, 09-03 and 09-07 – Court of Appeals waiting on decision
 - C. Richard Sceifers – Franklin Circuit Court remanded case back to appraisers board. Motion by Jeff Fultz, second by Dwain Wheeler and the Board unanimously agreed to file a formal complaint and the Board also agreed to file an injunction from practice if necessary to ensure public protection. Roll call – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

MISCELLANEOUS

The Board reviewed and discussed the following information:

- A. Budget Ending December 31, 2015 – The Board was notified that there may be 4.5% cut.
- B. Appraisal Institute Dues of \$605.00. Motion by Jeff Fultz, second by Dann Cann and the Board approved the pay the expense. Roll call – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- C. Request from Jeff Lagrew and Dwain Wheeler to attend the TAF sponsored Investigator Training Session – The Appraisal Foundation covers all cost for two individuals from each state to attend the training. Motion by Jeff Fultz, second by Dann Cann and the Board unanimously agreed to send Nicole Biddle and Dwain

Wheeler to the Level 1 training in May 2016. The Board agreed to place Jeff Lagrew as an alternate to attend the training. Roll call – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

D. Fee Study Survey

E. TN Appraiser Board Law Amendment

F. February Board Meeting – February 25, 2016 – Thursday at 1:00 pm CST – Bowling Green, KY

G. February Seminar – February 26, 2016 – Friday at 8:00 a.m. CST – Bowling Green, KY

H. AARO Trip – April 8-10, 2016 – Phoenix, AZ

ATTORNEY REPORT

EXECUTIVE SESSION

Motion by Dann Cann, second by Jeff Fultz and the Board agreed per KRS 61.810(1) (c), (f) & (j) to go into executive session to discuss Case No. 15-07. Roll Call - Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

Motion by Dann Cann, second by Jeff Fultz and the Board agreed to return to regular session. Roll Call - Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

Tom Oliver, Chair recused himself from any vote because he is participating in the pre-adjudicative phase of this preceding. The Board complaint was considered and comments reviewed by the complainant and the investigator, no action was taken.

EXECUTIVE SESSION

Motion by Dann Cann, second by Jeff Fultz and the Board agreed per KRS 61.810(1) (c), (f) & (j) to go into executive session to discuss staff grievance. Roll Call - Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

Motion by Dann Cann, second by Jeff Fultz and the Board agreed to return to regular session. Roll Call - Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

Tom Oliver, Board Chair recused himself from any vote because he is participating in the pre-adjudicative phase of this preceding. The Board reviewed information received and dismissed the grievance for lack of evidence. Roll Call - Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

Motion by Jeff Fultz, second by Dann Cann and the Board unanimously agreed to adjourn the meeting. Roll Call · Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes



Chair



Staff Assistant